IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL REVISION APPLICATION No.278 of 2006

Ashraf P.Nathani ..Applicant.

Vs.

R. M. Dedhia & Ors. ..Respondents.

Mr S. V.Marwadi, Advocate for the Applicant.

Mr S. L. Ahuja, Advocate for the Respdt.No.1.

Ms M.H.Mhatre, APP for the Respondent No.2.

CORAM: V.C. DAGA,J.

DATED: 4th Oct, 2007.

P.C.:-

1. Heard.

2. Perused revision petition.

3. Learned counsel for parties have tendered consent terms on record; wherein, the the petitioner has settled the dispute out of Court on payment of Rs.7,00,000/-, out of which amount of Rs. 3,00,000 has been deposited in this Court vide order dated 17.7.2006. Amount of Rs. 2,00,000 has been deposited in the Trial Court and again an amount of Rs. 2,00,000/- has been deposited in this Court on 1.10.2007. Statements made in this behalf are taken on record. The consent terms are taken on record and marked X for identification.

4. In the above view of the matter, the offence under Section 138 stands compounded on payment of Rs. 7,00,000/-by the petitioner to the complainant. It would be open for the complainant to withdraw the amount of Rs. 7,00,000 from the respective Courts under Payee's Account cheque. The offence under Section 138 of the Negotiable Instruments Act stands compounded subject to receipt of Rs.7,00,000/- by the complainant as indicate herein.

5. Revision Petition stands disposed of accordingly.

(V.C. DAGA,J.)